

EXHIBIT C

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
3 AT BECKLEY

4
5 Civil Action No. 5:23-cv-00210

6 Honorable Frank W. Volk

7 MIRANDA DAWN SMITH, on behalf of
8 the ESTATE OF ALVIS RAY SHREWSBURY,

9 Plaintiff,

10 vs.

11 WEST VIRGINIA DIVISION OF CORRECTIONS

12 AND REHABILITATION, et al.,

13 Defendants.

14 * * * * *

15
16 VIDEOTAPED DEPOSITION OF DR.

17 ROCKEFELLER F. COOPER, II, taken pursuant to
18 stipulation and agreement before Timothy T.
19 Casey, Court Reporter and Commissioner for
20 the State of Alabama at Large, at Regus -
21 Huntsville, 7027 Old Madison Pike Northwest,
22 Suite 108, Huntsville, Alabama, on Monday,
23 October 23, 2023, commencing at 9:03 a.m.

<p style="text-align: right;">Page 26</p> <p>1 I'm sorry.</p> <p>2 A. Okay, can you repeat the question?</p> <p>3 Q. Sure. Did you find any evidence in</p> <p>4 your autopsy that Mr. Shrewsbury's death was</p> <p>5 a result of trauma as opposed to natural?</p> <p>6 A. No, at the time, no, I did not stumble</p> <p>7 upon any sign of trauma.</p> <p>8 Q. Okay. And then the last sentence, you</p> <p>9 have, "Immediate cause of death was an acute</p> <p>10 myocardial infarct heart attack due to these</p> <p>11 blood conditions," correct?</p> <p>12 A. Yes.</p> <p>13 Q. So, it's your opinion that Mr.</p> <p>14 Shrewsbury died of a heart attack?</p> <p>15 A. Yes, it's fair to say so.</p> <p>16 Q. Okay. Do you have any opinion as to</p> <p>17 what caused him to have this heart attack?</p> <p>18 A. No, not unless, you know, you look at</p> <p>19 other, you know, if you look at, I don't</p> <p>20 know --</p> <p>21 Q. Sure.</p> <p>22 A. -- like the environment, the</p> <p>23 atmosphere he was in at the time. Because if</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. Sure. Are you offering any opinions</p> <p>2 as to the cause of Mr. Shrewsbury's heart</p> <p>3 attack?</p> <p>4 A. No, I'm not offering any opinion. I'm</p> <p>5 just -- I was just giving a scenario based on</p> <p>6 the way he asked the question.</p> <p>7 Q. Okay, fair enough. So, as we sit here</p> <p>8 today, it's your opinion that he died of a</p> <p>9 heart attack, but you don't know what caused</p> <p>10 the heart attack?</p> <p>11 A. Correct, I don't know what basically</p> <p>12 what spiked the heart attack.</p> <p>13 Q. Okay. Can you say that there was no</p> <p>14 evidence of any trauma that led to the heart</p> <p>15 attack? By trauma, I mean physical trauma.</p> <p>16 A. You don't really see physical trauma,</p> <p>17 per se, that would lead to the heart attack.</p> <p>18 Q. Okay. I'm going to show you the death</p> <p>19 certificate. I really just want to point</p> <p>20 your attention to the final manner of death</p> <p>21 that the state listed, which the options were</p> <p>22 natural, accident, suicide, homicide, or</p> <p>23 could not be determined. And they listed</p>
<p style="text-align: right;">Page 27</p> <p>1 a person, for example, and let's -- and this</p> <p>2 is just a hypothetical. If Mr. Jones, ninety</p> <p>3 years old, is in his kitchen, he went into</p> <p>4 his kitchen at night to get him a cup of</p> <p>5 coffee or whatever, and somebody just showed</p> <p>6 up at his kitchen window with a ski mask, and</p> <p>7 he dropped from a heart attack and died.</p> <p>8 Now, the issue is, is there any</p> <p>9 liability or is it not, even though the</p> <p>10 autopsy, fast-forwarding the autopsy shows</p> <p>11 that he had occlusion of the vessels, but if</p> <p>12 he wasn't spooked or scared, would he still</p> <p>13 be alive today.</p> <p>14 So, you know, if you're not familiar</p> <p>15 with the other aspects of the information, as</p> <p>16 in someone was at his window that scared him,</p> <p>17 and just looking at the organ and the</p> <p>18 pathology, it would be fair with the</p> <p>19 information that was given as well, it would</p> <p>20 be fair to make such a conclusion.</p> <p>21 Q. Are you offering any opinions of that</p> <p>22 sort in this case?</p> <p>23 A. Wait, can you repeat that, please?</p>	<p style="text-align: right;">Page 29</p> <p>1 natural. Based on your examination in your</p> <p>2 autopsy do you have any reason to disagree</p> <p>3 with that?</p> <p>4 A. Yes, in a sense I do.</p> <p>5 Q. Okay. Why do you disagree with it?</p> <p>6 A. Okay, so, when I take into</p> <p>7 consideration the fact that the family</p> <p>8 raises, well, several issues. One, when</p> <p>9 you're going back to the form, the consent</p> <p>10 form, they talk about, well, his daughter had</p> <p>11 expressed concern about internal bleeding and</p> <p>12 blunt-force trauma.</p> <p>13 Okay, now, I get to the funeral home</p> <p>14 and I see a bruise under his left eye. All</p> <p>15 right? So, in my mind, I'm thinking because</p> <p>16 they had raised concerns as to they believe</p> <p>17 that someone did something to him, no name</p> <p>18 was called, nobody was identified. But going</p> <p>19 with that, I, you know, I started to look at</p> <p>20 him more or less from an investigative</p> <p>21 standpoint of view.</p> <p>22 Then, I start the exam and I realize</p> <p>23 that the only thing that was removed from the</p>